

Protective Order Committee
Judicial Conference of Indiana

Minutes
June 29, 2001

The Protective Order Committee met at the Indiana Judicial Center in Indianapolis on Friday, June 29, 2001 from 12:30 p.m. – 4:15 p.m.

1. Members present. Tammy Baitz, Robert E. Lybrook, Christina Miller, Sarah Taylor, Jerry L. Ummel, and John W. Forcum, Chair
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Others present. Senior Judge Ruth Reichard attended the meeting.
4. Minutes approved. The minutes for the committee meeting on March 23, 2001 were approved as amended.
5. Proposed forms. Mr. Tom Jones distributed a draft of a new form concerning waiver of fees for domestic violence, dating violence, sexual assault or stalking. The committee recommended revisions. Judge Reichard agreed to list the definitions for terms in the waiver form for Mr. Jones and he agreed to place them on the Internet in portrait and landscape format.
6. Presentation by Lisa Beran.
 - a. Mr. Bercovitz distributed a copy of a proposed draft model first page for protective orders and sample pages from other states from Ms. Beran.
 - b. The members of the committee talked with Ms. Beran via speakerphone. Ms. Beran explained she was leading Project Passport, a program to establish an eight-state strategy for implementing full faith and credit for protective orders. Their goal is to create a regional model protective order that can be used throughout Kentucky, Indiana, Illinois, Missouri, Ohio, Tennessee, Virginia and West Virginia. In response to various questions, she stated this protective order could be a cover page for no-contact orders but it is really designed for civil protective orders; it can be used to note how long the order will be effective; it may be modified to include federal domestic violence orders as was done in Kentucky; and may include multiple parties, like family members, but not mutual orders. Each state must decide whether or not to adopt it.
 - c. Mr. Bercovitz distributed information on the Project Passport meeting scheduled for July 24-25 near Cincinnati. Ms. Beran said the committee was invited to attend, at their expense. The committee discussed the social security number on the model form may be confidential.

7. STOP grant. Mr. Bercovitz reported the receipt of a STOP grant from the Indiana Criminal Justice Institute to develop a Model Protective Order statute and commentary for Indiana.

8. Model Protective Order Act for Indiana. Judge Reichard discussed changes recommended by the committee to the Model Protective Order Act for Indiana distributed on June 18. The committee agreed to continue their discussion at their next meeting. Judge Reichard agreed to add a Table of Contents and an executive summary.

9. Next meeting dates. Committee members agreed meet at the following times: Friday, July 27, 2001, 12:30 p.m. - 4:00 p.m.; Friday, August 24, 2001, 9:00 a.m. - 4:00 p.m., and Saturday, August 25 from 8:30 a.m. – 12:00 noon; Wednesday, September 12, 10:00 a.m. – 12:00 noon in conjunction with the Judicial Conference, and at 4:30 for a comment meeting; Friday, November 2, 10:30 a.m. – 12:00 noon and 1:00 p.m. – 4:00 p.m. for a public hearing and meeting, Friday, November 30, 2001 from 12:30 p.m. – 4:00 p.m.; Wednesday Jan. 23, and Wednesday, February 27, 2001 from 11:00 a.m. – 3:00 p.m. in order to meet with legislators; and Friday, March 22, 2002 from 12:30 p.m. – 4:00 p.m.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law